

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SONYA L. CHAPMAN,	§	
PLAINTIFF,	§	
	§	
v.	§	CASE NO. 3:24-CV-917-B-BK
	§	
ADT, LLC,	§	
DEFENDANT.	§	

RECOMMENDATION REGARDING IN FORMA PAUPERIS ON APPEAL

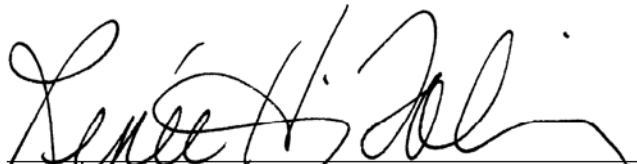
Before the Court is Plaintiff's request to proceed *in forma pauperis* on appeal. Doc. 31. Upon consideration, of the motion, the relevant portions of the record, and the applicable law, it is recommended that the motion to proceed *in forma pauperis* on appeal be **DENIED**. It is further recommended that, pursuant to FED. R. APP. P. 24(a) and 28 U.S.C. § 1915(a)(3), the Court certify that Plaintiff's appeal is not taken in good faith.

Plaintiff is attempting to appeal the denial of the Court's order denying *Plaintiff's Opposed Motion for Injunctive and Equitable Relief and Trial on the Merits*. Doc. 11. Because Plaintiff did not attempt to show that she had a substantially likelihood of succeeding on the merits of her case, there are no non-frivolous issues for appeal in this case. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983) (per curiam) (an appeal is not taken in good faith when it fails to present non-frivolous issues).

Although this appeal should be certified as not taken in good faith under 28 U.S.C. § 1915(a)(3) and FED. R. APP. P. 24(a)(3), Plaintiff may challenge this finding by filing a

separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court for the U.S. Court of Appeals for the Fifth Circuit, within 30 days of the District Judge's Order on this Recommendation.

SIGNED August 30, 2024.



RENEE HARRIS TOLIVER
UNITED STATES MAGISTRATE JUDGE